

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY LEVIN and DR. LUCILLE LEVIN,

Plaintiffs and Counter-Claim
Defendants,

v.

THE BANK OF NEW YORK MELLON,
JPMORGAN CHASE BANK, N.A., and
CITIBANK,

Defendants.

Civil Action No. 09-cv-5900 (RPP)

SOCIÉTÉ GÉNÉRALE,

Defendant and Interpleader
Plaintiff,

v.

VESTEL ELEKTRONIK SANAYI VE
TICARET A.Ş., *et al.*,

Interpleader Third-Party
Defendants.

ANSWER TO INTERPLEADER
COMPLAINT

Interpleader Third-Party Defendant Vestel Elektronik Sanayi Ve Ticaret A.Ş. (“Vestel”), by its undersigned attorneys White & Case LLP, states as follows for its Answer to the Interpleader Complaint of Société Générale (“SG”) against Account Parties (the “Complaint”):

1. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the Complaint, except admits that SG has filed the complaint as alleged and named Vestel as an Interpleader Third-Party Defendant.

JURISDICTION AND VENUE

2. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraphs 2 and 3 of the Complaint.

THE PARTIES

3. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraphs 4, 9 through 11, and 13 through 19 of the Complaint.

4. Has no basis to either admit or deny the allegations contained in Paragraphs 5 through 8 of the Complaint, since those allegations were redacted in the version of the Complaint served on Vestel.

5. Admits the allegation contained in Paragraph 12 of the Complaint.

THE ACCOUNTS

6. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 20 of the Complaint.

7. Has no basis to either admit or deny the allegations contained in Paragraphs 21 through 24 of the Complaint, since those allegations were substantially redacted in the version of the Complaint served on Vestel.

8. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 25 of the Complaint, but states that Vestel has never done business with Flamingo International SA (“Flamingo”), and does not have, and has never had, a bank account at Bank Mellat (Istanbul).

9. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 26 of the Complaint, but states, upon information and belief, that “Vestel Turkey” in the wire transfer instructions may refer to another entity named Vestel

Dış Ticaret A.Ş. (“VDT”) that at one time held a receivable from Flamingo, which VDT transferred and assigned to Türkiye İhracat Kredi Bankası A.Ş. – Türk Eximbank with a release letter and letter of undertaking both notarized on March 17, 2011 and an assignment letter notarized on March 31, 2011.

10. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 27 of the Complaint.

THE DISPUTE

11. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 28 of the Complaint.

12. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 29 of the Complaint, but states that Vestel has no interest in, rights in, or claims to the SG Blocked Funds.

13. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraphs 30 through 32 of the Complaint.

ANSWER TO FIRST CLAIM FOR RELIEF

14. Vestel respectfully repeats and realleges its responses set forth in Paragraphs 1 through 13 above as though fully set forth herein.

15. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraphs 34 through 35 of the Complaint.

16. Paragraph 36 of the Complaint states conclusions of law to which no response is required. To the extent a response is required, Vestel denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 36 of the Complaint.

ANSWER TO SECOND CLAIM FOR RELIEF

17. Vestel respectfully repeats and realleges its responses set forth in Paragraphs 1 through 16 above as though fully set forth herein.

18. Paragraphs 38 and 39 of the Complaint state conclusions of law to which no response is required. To the extent a response is required, Vestel admits that the quoted language in Paragraph 38 is contained in C.P.L.R. § 5239 and denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 39 of the Complaint.

The remainder of the Complaint is a reservation of rights and prayer for relief to which no response is required. To the extent a response is required, the reservation of rights and prayer for relief is denied in its entirety. All other allegations of the Complaint that are not specifically admitted are denied. Vestel expressly reserves the right to amend and/or supplement this Answer.

Vestel states the following affirmative defenses without assuming the burden of proof of such defenses or conceding that any parties to the action have any claims or rights as to Vestel: The Court does not have personal jurisdiction over Vestel. Vestel further reserves the right to assert other affirmative defenses as discovery proceeds.

* * *

WHEREFORE, Vestel makes no claim to and asserts no rights to or interest in any assets referenced in the Complaint and respectfully requests judgment dismissing with prejudice the Interpleader Complaint of SG as against it, and awarding Vestel its costs and expenses in this proceeding, including reasonable attorneys' fees, and such other and further relief as may be just and proper.

Dated: Washington, D.C.
January 10, 2012

WHITE & CASE LLP

By: /s/ Carolyn B. Lamm

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Vestel Elektronik Sanayi Ve Ticaret A.Ş.*